**CLAIMS** 

1. (Currently Amended) A method implemented in a content distribution server,

the method comprising:

obtaining a bitstream of encoded video data, the encoded video data including an

encoded base layer and one or more encoded enhancement layers, the video data

having been encoded according to a high HQRB (high quality reference bit-rate) that

determines how many bits of an enhancement layer bitstream are used to reconstruct a

high quality reference image;

decoding [[an]] the enhancement layer bitstream from the bitstream of encoded

video using the content distribution server and an encoded base layer bitstream from a

the bitstream of encoded video data, the encoded video data including the encoded

base layer and one or more encoded enhancement layers, the video data having been

encoded according to a high HQRB (high quality reference bit-rate) that determines how

many bits of the enhancement layer bitstream are used to reconstruct a high quality

reference image;

extracting motion vectors from the encoded base layer and skipping coded

coefficients and other information at the encoded base layer to transcode the

enhancement layer bitstream;

determining data throughput characteristics of a content distribution network

coupled to a client computing device using the content distribution server;

Serial No.: 10/736,955

Atty Docket No.: MS1-1694US

Atty/Agent: Beatrice L. Koempel-Thomas

-3- lee@haves The Business of IP®

calculating a new HQRB based at least on a difference between the data

throughput characteristics of the network and a bit rate of the encoded base layer in the

bitstream of encoded video data using the content distribution server;

encoding the decoded enhancement layer bitstream based at least on the new

HQRB to generate a transcoded enhancement layer bitstream using the content

distribution server; and

streaming the transcoded enhancement layer bitstream to the client computing

device using the content distribution server with the encoded base layer bitstream with

encoding that is at least partially optimized for the throughput characteristics of the

content distribution network.

2. (Previously Presented) The method of claim 1, wherein the encoding

substantially optimizes transcoded enhancement layer for streaming with the base layer

across the network to the client computing device as compared to streaming of the

encoded video data.

3. (Previously Presented) The method of claim 1, wherein the encoded video

data is encoded using progressive fine-granularity scalable (PFGS), MA-FGS, or RFGS

encoding criteria.

4. (Currently Amended) The method of claim 1, further comprising determining

when the data throughput characteristics indicate a relatively low data throughput, and

-4-

wherein calculating the new HRQB comprises:

Serial No.: 10/736,955

Atty Docket No.: MS1-1694US

Atty/Agent: Beatrice L. Koempel-Thomas

lee@hayes The Business of IP®

encoding the decoded enhancement layer bitstream with the new HRQB having

a bit rate lower than the high HRQB in response to the determining of a relatively low

data throughput[[,]].

5. (Previously Presented) The method of claim 1, further comprising

determining when the data throughput characteristics indicate a relatively high data

throughput, and wherein calculating the new HRQB comprises:

encoding the decoded enhancement layer bitstream with the new HRQB having

a bit rate the same or higher than the high HRQB in response to the determining of a

relatively high data throughput.

**6.** (Currently Amended) The method of claim 1, wherein the encoding further

comprises:

determining the motion vectors extracted vector(s) from the encoded base layer

without decoding the bitstream of the encoded base layer without decoding an entirety

of a bitstream corresponding to the base-layer; and

encoding the enhancement layer bitstream with the determined motion vector(s)

to generate the transcoded enhancement layer for streaming to the client computing

device.

7. (Currently Amended) The method of claim 1, wherein the method further

comprises streaming the transcoded enhancement layer and the encoded base layer

across the network to the client computing device.

Serial No.: 10/736,955

Atty Docket No.: MS1-1694US

Atty/Agent: Beatrice L. Koempel-Thomas

-5- lee@haves The Business of IP®

8. (Currently Amended) The method of claim 1, wherein the method further

comprises encoding video data to generate the one or more enhancement layers and

the encoded base layer.

9. (Currently Amended) The method of claim 1, wherein the method further

comprises determining networking and/or video presentation capabilities of the client

computing device, and wherein calculating the new HQRB further comprises formulating

the new HQRB based at least on one or more of the networking and/or video

presentation capabilities.

10. (Currently Amended) A computer-readable memory storage device

encoded with computer-executable instructions that, when executed by a processor in a

content distribution server, implement operations comprising:

(a) producing a bitstream of encoded video data, the encoded video data

including an encoded base layer and one or more encoded enhancement layers, the

video data having been encoded according to a high level high quality reference bit-rate

(HQRB) that determines how many bits of the enhancement layer bitstream are used to

reconstruct a high quality reference;

([[a]]b) decoding [[an]] the enhancement layer bitstream using the processor and

an encoded base layer bitstream from [[a]] the bitstream of encoded video data, using

the processor the encoded video data including the encoded base layer and one or

more encoded enhancement layers, the video data having been encoded according to a

Serial No.: 10/736,955

Atty Docket No.: MS1-1694US

Atty/Agent: Beatrice L. Koempel-Thomas

-6-

lee@haves The Business of IP®

high HQRB (high quality reference bit-rate) that determines how many bits of the

enhancement layer bitstream are used to reconstruct a high quality reference image;

([[b]]c)extracting motion vectors from encoded the base layer while keeping the

bitstream of the encoded base layer unchanged and skipping coded coefficients and

other information at the encoded base layer to transcode the enhancement layer

bitstream;

([[c]]d) determining data throughput characteristics of a content distribution

network coupled to a client computing device and changes to the data throughput

characteristics of the content distribution network using the processor;

([[d]]e) calculating a new HQRB based at least on the data throughput

characteristics of the content distribution network and a bit rate of the encoded base

layer in the bitstream of encoded video data using the processor, wherein the new,

calculated HQRB is about equal to or less than the bandwidth used to deliver the

unmodified, encoded, base layer; and

([[e]]f) encoding the decoded enhancement layer bitstream based at least on the

new HQRB to generate a transcoded enhancement layer bitstream using the processor;

([[f]]g) streaming the transcoded enhancement layer bitstream to the client

computing device using the content distribution server with the encoded base layer

bitstream; and

([[g]]h) repeating (c) - (g) in response to changes in the data throughput

characteristics of the network.

Serial No.: 10/736,955

Atty Docket No.: MS1-1694US

Atty/Agent: Beatrice L. Koempel-Thomas

-7- lee@hayes The Business of IP®

11. (Currently Amended) The computer-readable memory storage medium of

claim 10, wherein the computer-executable instructions for encoding substantially

optimize transcoded enhancement layer for streaming with the encoded base layer

across the network to the client computing device.

**12.** (Previously Presented) The computer-readable memory storage medium of

claim 10, wherein the encoded video data is encoded using progressive fine-granularity

scalable (PFGS), MA-FGS, or RFGS encoding criteria.

13. (Previously Presented) The computer-readable memory storage medium of

claim 10, wherein operations for calculating comprise operations, responsive to

identifying a relatively low data throughput, for selecting the new HRQB to be lower than

the high HRQB.

**14.** (Previously Presented) The computer-readable memory storage medium of

claim 10, wherein operations for calculating the new HRQB comprise operations, for

selecting the new HRQB to be the same or higher than the high HRQB in response to

identifying a relatively high data throughput.

15. (Canceled)

Serial No.: 10/736,955

Atty Docket No.: MS1-1694US

Atty/Agent: Beatrice L. Koempel-Thomas

-8- lee@hayes The Business of IP®

16. (Currently Amended) The computer-readable memory storage medium of

Claim 10, wherein the operations further comprise operations for streaming the

transcoded enhancement layer and the encoded base layer across the network to the

client computing device.

17. (Currently Amended) The computer-readable memory storage medium of

claim 10, wherein the operations further comprise operations for encoding video data to

generate the one or more enhancement layers and the encoded base layer.

18. (Currently Amended) The computer-readable memory storage medium of

claim 10, wherein the operations further comprising operations for determining

networking and/or video presentation capabilities of the client computing device, and

wherein calculating the new HQRB further comprises formulating the new HQRB based

at least on one or more of the networking and/or video presentation capabilities.

19. (Currently Amended) A computing device of a content distribution server

comprising:

a memory;

a processor coupled to [[a]] the memory, the memory being encoded with

computer-program instructions executable by the processor to implement operations

comprise comprising:

decoding an enhancement layer bitstream from a bitstream of encoded video

data using the processor, the encoded video data including an encoded base layer and

Serial No.: 10/736,955

Atty Docket No.: MS1-1694US

Atty/Agent: Beatrice L. Koempel-Thomas

-9-

lee@hayes The Business of IP®

one or more enhancement layers, the video data having been encoded according to a

high HQRB (high quality reference bit-rate) that determines how many bits of the

enhancement layer bitstream are used to reconstruct a high quality image;

extracting motion vectors from [[the]] an encoded base layer of the encoded

video data and skipping coded coefficients and other information at the encoded base

layer to transcode the enhancement layer bitstream;

determining data throughput characteristics of a content distribution network

coupled to a client computing device using the processor;

calculating a new HQRB based at least on a difference between the data

throughput characteristics of the content distribution network and a bit rate of the

encoded base layer in the bitstream of encoded video data using the processor;

encoding the decoded enhancement layer bitstream based at least on the new

HQRB to generate a transcoded enhancement layer bitstream using the processor;

streaming the transcoded enhancement layer bitstream to the client computing

device; and

wherein the encoded base layer remains encoded for streaming to the client

computing device and wherein the encoding is at least partially optimized for the data

throughput characteristics of the content distribution network.

**20.** (Currently Amended) The computing device of claim 19, wherein the

computer-executable instructions for encoding substantially optimizes transcoded

enhancement layer for streaming with the encoded base layer across the network to the

client computing device as compared to streaming of the encoded video data.

Serial No.: 10/736,955

Atty Docket No.: MS1-1694US

Atty/Agent: Beatrice L. Koempel-Thomas

-10- lee@hayes The Business of IP®

21. (Previously Presented) The computing device of claim 19, wherein the

encoded video data is encoded using progressive fine-granularity scalable (PFGS), MA-

FGS, or RFGS encoding criteria.

22. (Previously Presented) The computing device of claim 19, wherein the data

throughput characteristics indicate a relatively low data throughput, and wherein the

operations for calculating the new HRQB further comprise operations, responsive to

identifying the relatively low data throughput, for selecting the new HRQB to be lower

than the high HRQB.

23. (Previously Presented) The computing device of claim 19, wherein the

operations for calculating the new HRQB further comprise operations, responsive to

identifying a relatively high data throughput, for selecting the new HRQB to be the same

or higher than the high HRQB

24. (Canceled)

25. (Currently Amended) The computing device of claim 19, wherein the

operations further comprise operations for streaming the transcoded enhancement layer

-11-

and the <u>encoded</u> base layer across the network to the client computing device.

Serial No.: 10/736,955

Atty Docket No.: MS1-1694US

Atty/Agent: Beatrice L. Koempel-Thomas

lee@hayes The Business of IP®

26. (Currently Amended) The computing device of claim 19, wherein the

operations further comprise operations for encoding video data to generate the one or

more enhancement layers and the encoded base layer.

27. (Currently Amended) The computing device of claim 19, wherein the

operations further comprise operations for determining networking and/or video

presentation capabilities of the client computing device, and wherein calculating the new

HQRB further comprises formulating the new HQRB based at least on one or more of

the networking and/or video presentation capabilities.

28. (Currently Amended) A computer-readable memory storage device

comprising processing means in a computer-readable storage medium, the processing

means comprising:

means for obtaining an encoded video data having an encoded base layer and

one or more encoded enhancement layers, the video data having been encoded

according to a high level high quality reference bit-rate (HQRB) that determines how

many bits of the enhancement layer bitstream are used to reconstruct a high quality

reference image;

means for decoding [[an]] the enhancement layer bitstream from encoded video

data using an encoded base layer bitstream from the encoded video data, using the

encoded base layer bitstream without decoding the encoded base layer bitstream the

encoded video data having the encoded base layer and one or more encoded

enhancement layers, the video data having been encoded according to a high HQRB

Serial No.: 10/736,955

Atty Docket No.: MS1-1694US

Atty/Agent: Beatrice L. Koempel-Thomas

-12- lee@haves The Business of IP®

(high quality reference bit-rate) that determines how many bits of the enhancement

layer bitstream are used to reconstruct a high quality reference image;

means for extracting motion vectors from the encoded base layer and skipping

coded coefficients and other information at the base layer to transcode the

enhancement layer bitstream;

means for determining data throughput characteristics of a content distribution

network coupled to a client computing device;

means for calculating a new HQRB based at least on a difference between the

data throughput characteristics of the content distribution network and a bit rate of the

encoded base layer in the bitstream of encoded video data;

means for encoding the decoded enhancement layer bitstream based at least on

the new HQRB to generate a transcoded enhancement layer bitstream;

means for maintaining a difference between the enhancement layer encoded

according to the high level HQRB and the enhancement layer bitstream based at least

on the new HQRB; and

means for streaming the transcoded enhancement layer bitstream to the client

computing device with the encoded base layer bitstream wherein the encoding is at

least partially optimized for the data throughput characteristics of the content distribution

network.

Serial No.: 10/736,955

Atty Docket No.: MS1-1694US

Atty/Agent: Beatrice L. Koempel-Thomas

lee@hayes The Business of IP®

-13- le

29. (Currently Amended) The computer-readable memory storage device of

claim 28, wherein the means for encoding substantially optimizes transcoded

enhancement layer for streaming with the encoded base layer across the network to the

client computing device as compared to streaming of the encoded video data.

**30.** (Previously Presented) The computer-readable memory storage device of

claim 28, wherein the encoded video data is encoded using progressive fine-granularity

scalable (PFGS), MA-FGS, or RFGS encoding criteria.

31. (Previously Presented) The computer-readable memory storage device of

claim 28, wherein the means for calculating the new HRQB further comprise,

responsive to identifying a relatively low data throughput, means for selecting the new

HRQB to be lower than the high HRQB.

**32.** (Previously Presented) The computer-readable memory storage device of

claim 28, wherein the means for calculating the new HRQB further comprise means for

selecting the new HRQB to be the same or higher than the high HRQB in response to

identifying a relatively high data network throughput.

33. (Canceled)

Serial No.: 10/736,955

Atty Docket No.: MS1-1694US

Atty/Agent: Beatrice L. Koempel-Thomas

-14- lee⊗hayes The Business of IP®

34. (Currently Amended) The computer-readable memory storage device of

claim 28, wherein the processing means comprise means for encoding video data to

generate the one or more enhancement layers and the encoded base layer.

35. (Currently Amended) The computer-readable memory storage device of

claim 28, wherein the processing means further comprise means for streaming the

transcoded enhancement layer and the encoded base layer across the network to the

client computing device.

36. (Currently Amended) The computer-readable memory storage device of

claim 28, wherein the processing means further comprise means for determining

networking and/or video presentation capabilities of the client computing device, and

wherein the means for calculating the new HQRB further comprises means for

formulating the new HQRB based at least on one or more of the networking and/or

video presentation capabilities.

37. (New) The computer-readable memory storage medium of claim 10, wherein

the decoding of the enhancement layer bitstream, comprises processing by variable

length decoding and bit-plane decoding to extract at least two groups of coefficients, the

-15-

at least two groups of coefficients comprising:

a first of the at least two groups of coefficients being for the high quality

reference; and

Serial No.: 10/736,955

Atty Docket No.: MS1-1694US

Atty/Agent: Beatrice L. Koempel-Thomas

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a second of the at least two groups of coefficients being for the high quality video

decoded to be transcoded.

**38.** (New) The computing device as recited in claim 19, wherein the operations

further comprise:

maintaining a difference between the enhancement layer encoded according to

the high HQRB and the enhancement layer bitstream based at least on the new HQRB,

the maintaining operation performed by components comprising:

an inverse discrete cosine transform (IDCT) module;

a frame buffer;

a motion compensation (MC) module;

a discrete cosine transform (DCT) module; and

a bit-plane coding module.

**39.** (New) The computing device as recited in claim 28, wherein the means for

maintaining the difference between the enhancement layer encoded according to the

high level HQRB and the enhancement layer bitstream based at least on the new

HQRB comprise:

a means for performing inverse discrete cosine transform (IDCT);

a means for buffering frames;

a means for performing motion compensation (MC);

a means for performing discrete cosine transform (DCT); and

-16-

a means for performing bit-plane coding module.

Serial No.: 10/736,955

Atty Docket No.: MS1-1694US

Atty/Agent: Beatrice L. Koempel-Thomas

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